Case 2966

Cyclodomorphus praealtus (Reptilia, Squamata): a proposal that availability of the specific name be taken from the intended description by Shea, 1995

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Abstract. The purpose of this application is to ensure that the specific name of *Cyclodomorphus praealtus*, recently published for a new species of Australian alpine lizard, is treated as first made available by Shea (1995). The name was inadvertently made available by Osborne (1994) in a book which unexpectedly was published first.

Keywords. Nomenclature; taxonomy; Reptilia; Squamata; lizards; *Cyclodomorphus praealtus*; Australia.

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1. In 1993, Dr Glenn Shea of the Department of Veterinary Anatomy, University of Sydney, sent one of us (W. Osborne) for information purposes a copy of his draft manuscript 'A taxonomic revision of the *Cyclodomorphus casuarinae* complex (Squamata: Scincidae)'. In this manuscript an Australian alpine lizard was described as *Cyclodomorphus praealtus* sp. nov. Dr Shea requested that the name not be used in our publications prior to the publication of his paper. His paper was accepted for publication in the *Records of the Australian Museum* in September 1994, but was not published until April 1995.

2. In expectation that the description prepared by Dr Shea would be published well before our book *Wildlife of the Australian Snow-Country* (Green & Osborne, 1994), we planned to use Shea's name for this lizard. While our book was in the press, we became aware that Shea's paper had not been published and at galley proof stage requested the publisher to remove all reference to the new specific name. This was done with one exception, heading the main species account on p. 104.

3. The appearance of the name *Cyclodomorphus praealtus* in the chapter on Reptiles (authored by W. Osborne) in our book is followed by a brief description, natural history notes and a colour photograph of the species. As the account was not intended to be a formal description, no type specimens are designated and no type locality given. However, the brief and incomplete description includes explicit comparison of one character (length of tail) with the species *C. casuarinae* to which the alpine species had previously been referred. By providing a diagnosis that purports to differentiate the taxon our description fulfils the criteria of availability.

4. In identifying the species as distinct, we note 'a recent taxonomic study of the two forms has revealed that they are separate species' and ascribe this in a footnote to 'G. Shea, personal communication'. Unfortunately, this does not explicitly identify Shea as the author of the new specific name or of the description. It follows that the 'author' of the name is Osborne. Our publication of the name *Cyclodomorphus praealtus* was not intended to be the formal publication of a new name, and we acknowledge that the name is formally published by G.M. Shea in his paper (1995, p. 105) and that he is the describer of the taxon and the author of the name.

5. The International Commission on Zoological Nomenclature is accordingly asked:

(1) to use its plenary powers to suppress for the purposes of both the Principle of Priority and the Principle of Homonymy all uses of the name *praealtus* Osborne, 1994, as published in the binomen *Cyclodomorphus praealtus*, and all uses of the name prior to the publication of *Cyclodomorphus praealtus* Shea, 1995;

(2) to place on the Official List of Specific Names in Zoology the name *praealtus* Shea, 1995, as published in the binomen *Cyclodomorphus praealtus*;

(3) to place on the Official Index of Rejected and Invalid Names in Zoology the name *praealtus* Osborne, 1994, as published in the binomen *Cyclodomorphus praealtus*.

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References

Osborne, W. 1994. Reptiles. Pp. 98–113 *in* Green, K. & Osborne, W. *Wildlife of the Australian Snow-Country*. Reed Books, Chatswood.

Shea, G.M. 1995. A taxonomic revision of the *Cyclodomorphus casuarinae* complex (Squamata: Scincidae). *Records of the Australian Museum*, **47**(1): 83–115.